



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,046	04/26/2001	William Eric Hamilton	7896.14	2695

25314 7590 01/12/2004

GUNSTER, YOAKLEY & STEWART, PA  
BROWARD FINANCIAL CENTRE, SUITE 1400  
500 EAST BROWARD BLVD  
FT LAUDERDALE, FL 33394

EXAMINER

FOULADI SEMNANI, FARANAK

ART UNIT	PAPER NUMBER
----------	--------------

2672

DATE MAILED: 01/12/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/844,046

Applicant(s)

HAMILTON ET AL.

Examiner

Faranak Fouladi

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is responsive to communications: application, filed on 04/26/2001; IDS, filed on 04/26/01; Pre-amendment A, filed on 12/31/01.
2. Claims 1-20 are pending in the case, with claims 1, 10 and 19 being independent.
3. New claims 19 and 20 have been added.
4. The present title of the application is "Method for prolonging CRT screen life by reduced phosphor burning" (as originally filed).
5. **THIS ACTION IS MADE FINAL.**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims ~~1-20~~<sup>1-18</sup> are rejected under 35 U.S.C. 102(e) as being anticipated by US

Publication 2001/0026285 A1 to Toffolo et al. filed on 04/27/1998.

7. As per independent claim 1, "a method of preventing a display screen of a cathode ray tube (CRT) type monitor in a closed-circuit television (CCTV) system from experiencing phosphor burn as a result of persistent display of textual information overlaid onto a closed circuit video image, the method comprising the steps of moving a position of the textual information relative to the image as displayed on the monitor by a relatively small predefined amount on a periodic basis." Toffolo disclose on page 1 paragraph [0005] lines 3-8 that an image can be shifted from one position to another by a predefined amount (amount can be defined based on the number of pixels on the screen) on a periodic bases.
8. As per dependent claim 2, "the method of claim 1 wherein the predefined amount is the smallest addressable screen unit on the display." Toffolo disclose on page 2 paragraph [0014] lines 1-4.
9. As per dependent claim 3, "the method of claim 1 wherein the predefined amount is one pixel." Toffolo disclose on page 2 paragraph [0014] lines 1-4.
10. As per dependent claim 4, "the method of claim 1 wherein the predefined amount is a relatively small predefined random number of pixels." Toffolo disclose on page 1 paragraph [0012] lines 8-10.

11. As per dependent claim 5, "the method of claim 1 wherein the predefined amount is one full character position." Toffolo disclose on page 1 paragraph [0012] lines 8-10.

12. As per dependent claim 6, "the method of claim 1 wherein the periodic basis is at least once per hour." Toffolo disclose on page 1 paragraph [0012] lines 1-2. Toffolo disclose that time period may be user-defined thus the time period can be at least once per hour.

13. As per dependent claim 7, "the method of claim 2 wherein the periodic basis is at least once per day. Toffolo disclose on page 1 paragraph [0012] lines 1-2. Toffolo disclose that time period may be user-defined thus the time period can be at least once per day.

14. As per dependent claim 8, "the method of claim 1 wherein the textual information is displayed near the bottom of the CRT screen." Toffolo disclose on page 1 paragraph [0011] lines 6-7. Toffolo disclose that the image is displayed in a first position. This first position can be near the bottom of the CRT screen.

15. As per dependent claim 9, "the method of claim 7 wherein the textual information is displayed near one of the two bottom comers of the CRT screen." Toffolo disclose on page 1 paragraph [0011] lines 6-7. Toffolo disclose that the image is

displayed in a first position. This first position can be near one of the two bottom comers of the CRT screen.

16. Claims 10-18 are similar in scope to claims 1-9 therefore they are rejected under the same rationale. In claim 10 steps of moving a position of the textual information relative to the video image as displayed on the monitor by a relatively small-predefined amount is based on an occasional basis not on periodic bases. Since Toffolo disclose that user can define the time period then it has been interpret that user can define the time to be occasional.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Publication 2001/0026285 A1 to Toffolo et al. filed on 04/27/1998.

18. As per independent claim 19, "In a cathode ray tube (CRT) type monitor in a television system where a first background video image and a second overlaid video image are simultaneously displayed on the CRT screen, a method of

reducing phosphor burn on the display screen resulting from persistent display of the overlaid video image onto the background video image comprising the steps of moving the overlaid image as displayed on the monitor by a relatively small predefined amount on an occasional basis without moving the background video image." Toffolo disclose on page 1 paragraph [0005] lines 3-8 that an image can be shifted from one position to another by a predefined amount (amount can be defined based on the number of pixels on the screen) on a periodic bases.

Toffolo does not disclose movement of an overlaid video image relative to a first image but Toffolo disclose in paragraph [0011] that "the image 30 could be any image on display 22..." and it would have been obvious at the time the invention was made to a person having ordinary skill in the art to move an overlaid video image as one of those "any image on display".

19.As per dependent claim 20, "the method of claim 19 wherein said second overlaid video image is textual information selected from the group consisting of a date, a time, and an identification of a location of a camera providing the background video image." Toffolo disclose in paragraph [0011].

### ***Response to Arguments***

20.Applicant's arguments filed 01/03/03 have been fully considered but they are not persuasive.

21.Applicant argues in second paragraph of page 6 of amendment "Toffolo is

directed toward movement of a single video image..." but Toffolo disclose in paragraph [0011] "...the image 30 could be any image on display 22, and is preferably the entire image on display 22, including any icons, text or other images." Therefore Toffolo disclose "any image on display" and any image on display can include an overlaid image.

### ***Conclusion***

**22. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

**23.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Faranak Fouladi** whose telephone number is **703-305-3223**. The examiner can normally be reached on Mon-Fri from 8:00-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Michael Razavi** can be reach at **703-305-4713**.



Art Unit: 2672

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, DC. 20231

**Or faxed to: 703-872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or  
proceeding should be directed to the Technology Center 2600 Customer Service  
Office whose telephone number is 703-305-4750.

Faranak Fouladi-Semnani  
Patent Examiner  
Art Unit 2672



**MICHAEL RAZAVI**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600